## IN THE UNITED STATES DISTRICT COURT

## FOR THE EASTERN DISTRICT OF TEXAS

## TYLER DIVISION

MICHAEL WAYNE HANCOCK, #1721250 §

VS. § CIVIL ACTION NO. 6:13cv499

TEXAS DEPARTMENT OF CRIMINAL § JUSTICE, ET AL.

## ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Second Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

**ORDERED** that the Second Report and Recommendation (docket entry #10) is **ADOPTED**.

It is further

**ORDERED** that Plaintiff's motion to dismiss (docket entry #9) is **GRANTED** and the complaint is **DISMISSED** without prejudice. Fed. R. Civ. P. 41(a)(1). All motions not previously ruled on are **DENIED**.

It is SO ORDERED.

SIGNED this 22nd day of August, 2013.

MICHAEL H. SCHNEIDER UNITED STATES DISTRICT JUDGE

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